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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE: NATIONAL SECURITY AGENCY TELECOMMUNICATIONS RECORDS LITIGATION This Document Relates To: ALL CASES	MDL NO. 06-1791 VRW **VERIZON'S JOINDER IN UNITED STATES' MOTION FOR A STAY PENDING DISPOSITION OF INTERLOCUTORY APPEAL IN *HEPTING v. AT&T*** Judge: Hon. Vaughn R. Walker

The Verizon defendants[1/] hereby join the Motion of United States for a Stay Pending Disposition of Interlocutory Appeal in *Hepting v. AT&T Corp.*, No. 06-00672 (MDL Dkt. No. 67) ("Stay Motion") filed on November 8, 2006. In particular, Verizon agrees that discovery (as well as

[1/] The "Verizon defendants" are: Verizon Communications Inc., Verizon Global Networks Inc., Verizon Northwest Inc., Verizon Maryland Inc., MCI, LLC, and MCI Communications Services, Inc., Cellco Partnership, Verizon Wireless (VAW) LLC, and Verizon Wireless Services LLC. *See* 11-17-06 Hr'g Tr. at 81-82.

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the filing of answers or resolution of any preliminary injunction motions) should be stayed pending resolution of the *Hepting* appeal. As the Government and the Defendants have explained,[2] proceeding with any discovery would be at odds with the very notion of obtaining guidance from the Court of Appeals at the threshold regarding the appropriate scope and application of the state secrets privilege.

At this point, however, Verizon is not in a position to evaluate fully whether it intends to file a dispositive motion as to the claims against it, because the Plaintiffs have not yet submitted their master complaint against the Verizon defendants. Accordingly, Verizon expects to inform the Court and the parties of its position as to dispositive motions after the Plaintiffs file their master complaints.

Dated: December 22, 2006

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[2] *See* Joint Case Management Statement at 43-46 (filed Nov. 7, 2006); Stay Motion at 17-22; 11-17-06 Hr'g Tr. at 27-29, 37, 57-65, 68.